

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION

FILED BY *[Signature]* D.C.

05 MAY -5 AM 6:56

ROBERT N. DI TROIO  
CLERK, U.S. DIST. CT.  
W.D. OF TN, MEMPHIS

RICHARD E. SHERMAN and  
RICHARD A. MATTA, JR.,

Plaintiffs,

v.

No. 04-2646-B/V

TESCO EQUIPMENT, LLC and  
TESCO HI-LIFT, INC.,

Defendants.

---

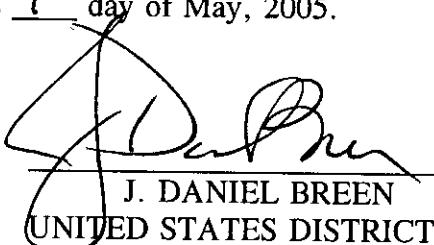
**ORDER OF REFERENCE**

---

Before the court is the motion of Defendants, Richard C. Traficant, Jr., Charles Traficant and Deborah Traficant, for Relief from Order filed on April 25, 2005. This motion is construed by the undersigned to be a motion for reconsideration of the Order Denying Motion to Intervene entered by Magistrate Judge Diane K. Vescovo on April 15, 2005.

This motion is referred to the United States Magistrate Judge for determination. Any objections to the magistrate judge's order shall be made within ten (10) days after service of the order, setting forth particularly those portions of the order objected to and the reasons for the objections. Failure to timely assign as error a defect in the magistrate judge's order will constitute a waiver of that objection. See Rule 72(a), Federal Rules of Civil Procedure.

IT IS SO ORDERED this 4<sup>th</sup> day of May, 2005.

  
J. DANIEL BREEN  
UNITED STATES DISTRICT JUDGE



# Notice of Distribution

This notice confirms a copy of the document docketed as number 37 in case 2:04-CV-02646 was distributed by fax, mail, or direct printing on May 5, 2005 to the parties listed.

---

John R. McCarroll  
BASKIN MCCARROLL MCCASKILL & CAMPBELL, P.A.  
P.O. Box 190  
Southhaven, MS 38671

Jamie W. Howell  
GILDER HOWELL & ASSOCIATES, P.A.  
7090 Malco Blvd.  
Ste. 111  
Southaven, MS 38671

S. Newton Anderson  
SPICER FLYNN & RUDSTROM  
80 Monroe Ave.  
Ste. 500  
Memphis, TN 38103--246

Jefferson D. Gilder  
GILDER HOWELL & ASSOCIATES, P.A.  
7090 Malco Blvd.  
Ste. 111  
Southaven, MS 38671

John B. Turner  
BASKIN MCCARROLL MCCASKILL & CAMPBELL, P.A.  
P.O. Box 190  
Southaven, MS 38671

Honorable J. Breen  
US DISTRICT COURT